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RECEIVED

AUG 28 2001

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August 27, 2001

**VIA OVERNIGHT MAIL AND ELECTRONIC MAIL**

Magalie Salas, Secretary  
Federal Communications Commission  
445 12th Street SW  
Room TWB204  
Washington, DC 20554  
Attn: Accounting and Audit Division

Re: In the Matter of M&L Enterprises, Inc., d/b/a Skyline  
Telephone Company Petition for Waiver of Sections 36.611,  
36.612 and 69.2(hh) of the Commission's Rules – Docket No.  
CC 96-45/DA 01-1414

Dear Ms. Salas:

The purpose of this Memorandum is to file under the Federal Communication Commission's "Permit but disclose" ex parte rules (47 C.F.R. §1.1206) a summary of certain oral presentations that were made in the above-referenced docket. The original and one copy of a summary memorandum is attached pursuant to 47 C.F.R. §1.1206(b)(2).

Sincerely,

*Richard A. Finnigan/km*  
RICHARD A. FINNIGAN

RAF/km

Enclosures

cc: Lane Williams  
Eric Einhorn  
Gary Seigel  
Genno Fullano

No. of Copies rec'd 0  
DATE

**SUMMARY OF "PERMIT BUT DISCLOSE"  
EX PARTE PRESENTATION**

On August 23, 2001, there was an exchange of telephone calls between myself and Gary Fullano of Commission staff, one direct and one voicemail. Those calls were to obtain information concerning whether M&L Enterprises, Inc. was affiliated with any other carrier. I responded that M&L Enterprises, Inc. is affiliated through some common ownership with Midvale Telephone Company operating in the states of Oregon and Idaho. The voicemail message that I left for Mr. Fullano was to emphasize that there was not a complete identity of ownership and that the operations of the two companies (M&L Enterprises, Inc. and Midvale Telephone Company) were separate operations.

Later that same day there was a telephone conference with Messrs. Einhorn, Seigel and Fullano of Commission staff in which they sought clarification of certain items contained in the petition filed in this matter. They asked if the company would prepare an estimate of the support payments sought under the petition in the same format as companies that submit such statements to NECA; they asked for a count of the number of customers actually served; they asked for clarification of the accumulated depreciation figures contained on the attachment to the petition; they asked for an explanation of what constitutes "other work equipment" under the financial exhibits; they asked for clarification of accounts 2113.11 and 2111.11; they asked for a copy of the petition filed with the Washington Utilities and Transportation Commission seeking registration; and they asked for confirmation as to whether M&L Enterprises, Inc. was affiliated with any carrier having a study area within the State of Washington. I responded that for most of that information, I would have to speak with the cost consultants and would provide that information in a follow up letter. I stated that I would obtain a copy of the petition filed with the Washington Utilities and Transportation Commission, but that I did not have an electronic copy of that document since it was prepared by the company prior to my involvement. I did state that M&L Enterprises, Inc. is not affiliated with any carrier that has a study area within the State of Washington.

There was also a question whether this was a new construction area. I responded that it was all new construction. There was a question concerning whether there were any facilities previously in the area. I responded that there were no facilities previously in the area from any other carrier, such as Verizon or Qwest. There was a discussion as to how the demand for service developed from the customers. I responded that it was my belief that this started out as an area of vacation homes which developed into year-round homes and customers were requesting service, initiated out of safety concerns because of frequent occurrences of wild fires in the area as well as a desire to be able to obtain general telecommunications services.

There was also a question of whether the company provided toll limitation services at this time and if it did not, what were its future plans. I responded that the company does not provide toll limitation services at this time, and was unaware of any plans to provide that service in the future given the capabilities of the switch, but would confirm the company's position on that item.

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